

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
))
Plaintiff,))
))
v.)) No. 3:05-CR-148
)) (Phillips / Guyton)
JERMAINE HUGHES and)
VICENTE CORONA,))
))
Defendants.))
))

MEMORANDUM AND ORDER

All pre-trial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. The Court has been informed that defendant Jermaine Hughes does not intend to go forward to a trial in this matter. Mr. Hughes has 37 pre-trial motions pending and subject to disposition by this Court, all of which anticipate a jury trial of these criminal charges. Defendant Vicente Corona has not joined in any of Mr. Hughes' motions except to the extent relief may be granted. Accordingly, the Court enters the following disposition to Jermaine Hughes' pending pre-trial motions:

1. Motion to Sever Defendant [Doc. 63] is DENIED as MOOT;
 2. Motion to Dismiss as a Matter of Law [Doc. 64] is DENIED as MOOT;
 3. Motion in Limine One and Memorandum [Doc. 65] is DENIED as MOOT;
 4. Motion for Disclosure of Grand Jury Transcripts

and Memorandum [**Doc. 66**] is **DENIED** as MOOT;

5. First Motion to Compel Discovery of 404(b) and Other Evidence [**Doc. 67**] is **DENIED** as MOOT;

6. Motion to Compel Discovery of Presentence Reports of Government Witnesses [**Doc. 68**] is **DENIED** as MOOT;

7. Motion to Compel Disclosure of Rule 11 Decisions and 18 U.S.C. 3553 Materials [**Doc. 69**] is **DENIED** as MOOT;

8. Motion to Compel Discovery of Related Indictments [Doc. 70] is **DENIED** as MOOT;

9. Motion for Disclosure of 12(b) Evidence and to Extend Time to File Motions to Suppress Evidence [**Doc. 71**] is **DENIED** as MOOT;

10. Second Motion in Limine for Rule 104 Hearing to Contest Chain of Custody of Certain Evidence [**Doc. 72**] is **DENIED** as MOOT;

11. Motion for Disclosure of Rule 404(b) Evidence [**Doc. 73**] is **DENIED** as MOOT;

12. Motion to Exclude Physical Evidence Illegally Obtained by Government [**Doc. 74**] is **DENIED** as MOOT;

13. Motion to Compel Disclosure of Promises of Immunity [**Doc. 75**] is **DENIED** as MOOT;

14. Motion for Disclosure of Jencks Material Prior to Trial [**Doc. 77**] is **DENIED** as MOOT;

15. Motion to Suppress Evidence Offered by the Government [**Doc. 79**] is **DENIED** as MOOT;

16. Motion for Hearing on the Existence of a Conspiracy and the Connection of the Defendant thereto [**Doc. 80**] is **DENIED** as MOOT;

17. Motion for Disclosure of Impeaching Evidence [Doc. 85] is **DENIED** as MOOT;
18. Motion for Bill of Particulars [Doc. 86] is **DENIED** as MOOT;
19. Motion for Disclosure of Statements the Government Attributes to Defendant [Doc. 88] is **DENIED** as MOOT;
20. Motion for Disclosure of Witness Statements [Doc. 89] is **DENIED** as MOOT;
21. Motion for Disclosure of Exculpatory Evidence [Doc. 91] is **DENIED** as MOOT;
22. Motion for the Disclosure of the Identity of Government Witnesses [Doc. 92] is **DENIED** as MOOT;
23. Motion to Suppress Statements [Doc. 94] is **DENIED** as MOOT;
24. Motion to Suppress Seized Evidence [Doc. 95] is **DENIED** as MOOT;
25. Renewed Motion for [sic] Compel Discovery, Disclosure of Brady Material, Giglio Material and for the Evidence the Government Intends to Use at Trial [Doc. 161] is **DENIED** as MOOT;
26. Motion to Change Venue [Doc. 164] is **DENIED** as MOOT;
27. Motion to Dismiss the Superseding Indictment [Doc. 166] is **DENIED** as MOOT;
28. Second Motion for Bill of Particulars [Doc. 169] is **DENIED** as MOOT;
29. Motion to Amend/Revise Document 79 [Doc. 170] is **DENIED** as MOOT;
30. Motion to Dismiss for Improper Venue [Doc.

171] is **DENIED** as MOOT;

31. Motion to Dismiss Based on Insufficiency of the Superseding Indictment **[Doc. 172]** is **DENIED** as MOOT;

32. Motion for Adverse Interference Should the Government Fail to Preserve Evidence **[Doc. 173]** is **DENIED** as MOOT;

33. Motion to Dismiss for Prosecutorial Vindictiveness **[Doc. 177]** is **DENIED** as MOOT;

34. Motion for Return of Property **[Doc. 224]** is **DENIED** as MOOT;

35. Motion to Order Access to the Law Library **[Doc. 255]** is **WITHDRAWN** by the defendant at **[Doc. 255]**;

36. Motion to Withdraw Document 225 **[Doc. 255]** is **GRANTED**;

37. First Motion for Date of Production to the Court of Subpoenaed Items for Examination by Counsel **[Doc. 256]** is **DENIED** as MOOT.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge